

P.L. 1997, CHAPTER 20, *approved February 24, 1997*
Assembly, No. 1673

1 AN ACT concerning probate of wills of certain decedents and
2 amending N.J.S.3B:3-28.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. N.J.S.3B:3-28 is amended to read as follows:

8 3B:3-28. Probate of will of nonresident decedent where property
9 situated in New Jersey. Where the will of any person not resident in
10 this State at his death has not been admitted to probate in the state,
11 jurisdiction or country in which he then resided and no proceeding is
12 there pending for the probate of the will, and he died owning real
13 estate situate in any county of this State or personal property, or
14 evidence of the ownership thereof, situate therein at the time of
15 probate, the Superior Court or the surrogate's court may admit the
16 will to probate and grant letters thereon.

17 (cf: P.L.1981, c. 405, s.3B:3-28)

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19 2. This act shall take effect immediately .

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STATEMENT

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24 This bill amends N.J.S.3B:3-28 to include the surrogate's court as
25 having the authority to admit the will to probate of a person who is not
26 resident in New Jersey at his death but who owns real or personal
27 property in this State if there is no proceeding pending where he did
28 live at his death. Currently this statute only gives the Superior Court
29 this authority.

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33 Gives surrogate's court authority to probate wills of certain decedents
34 not resident in this State.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.